

### **Remarks/Arguments**

This Amendment is being filed in response to the Official Action of the Examiner mailed December 5, 2005, setting a three-month shortened statutory period for response ending March 5, 2006. Claims 1-4 and 6-50 remain pending in the application, and claim 5 has been canceled without prejudice. Reconsideration, examination and allowance of all pending claims are respectfully requested.

### **Rejection under 35 U.S.C. § 103(a)**

Claims 1-50 are rejected as being unpatentable over Kenna et al. (US 6,108,641). The Office Action makes reference, on page 3, to a Buist reference as being relied on for teaching a system and method for trading securities over the internet using a display means for simultaneously displaying selected account items from accounts identified by two or more links of a first data structure. It thus appears that the rejection was intended to be made over a combination of Kenna et al. and Buist. If this assumption is incorrect, Applicant respectfully requests clarification in the next Office Action.

With reference to independent claims 1 and 16, the Examiner asserts that Buist discloses a system that simultaneously displays selected account items from accounts identified by two or more links of the first data structure. Applicant respectfully disagrees with this rejection. However, to move prosecution along, claim 1 has been amended to recite:

1. (currently amended) A system for displaying account information from two or more accounts that are stored in one or more account database, wherein each account includes one or more account items, the system comprising:
  - a first data structure having two or more associated links, wherein each link identifies one or more of the accounts, and wherein the first data structure, along with the one or more associated links, are user definable;
  - display means for simultaneously displaying selected account items from the accounts identified by the two or more links of the first data structure.

As can be seen, claim 1 now recites that the first data structure, along with the one or more

associated links, are user definable. This element has been incorporated from dependent claim 5, and dependent claim 5 has been canceled without prejudice. Notable, the Examiner has provided no remarks related to dependent claim 5 in the Office Action.

The portion of Buist cited by the Examiner states:

The user then, at step 3715, selects the "Accounts" account balances function 1550 from the function bar. The application displays, at step 3720, the entire list of account balances and related details in the "Accounts" display of the master trade screen. The user views, at step 3725, the display showing his account balances in the display, organized by the sort function. The user, at step 3730, selects a stock from the stock summary display (see FIGS. 5 & 12) and selects the "Accounts" function 1550. The application, at step 3735, displays only account balances for the selected stock in the Account Balances display.

(See Buist, column 26, lines 38-48). Notably, the "Accounts" balance function 1550 on the function bar of Buist does not appear to be user definable. Rather, the "Accounts" balance function 1550 appears to be a predefined menu option that is offered as part of the Buist system. Also, the particular accounts that are displayed when the "Accounts" balance function 1550 is selected do not appear to be user definable. Rather, it would appear that all of the customer's accounts are displayed when the "Accounts" balance function 1550 is selected, organized by the sort function. As such, for these and other reasons, claim 1 is believed to be clearly patentable over Kenna in view of Buist. For similar and other reasons, dependent claims 2-15 are also believed to be clearly patentable over Kenna in view of Buist, and independent claim 16 and dependent claims 17-23 are also believed to be clearly patentable over Kenna in view of Buist.

Turning now to claim 24. Applicant notes that the Examiner has not provided any remarks related to independent claim 24. MPEP § 2142 states:

The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness.

With respect to claim 24, as well as other claims, the Examiner has not provided ANY support/reasoning to establish a *prima facie* conclusion of obviousness. As such, the rejection of

claim 24, as well as the rejections of all other claims not specifically addressed by the Examiner (e.g. claims 2-5, 7-8, 11-15, 17-33, 35, 38-40, and 43-49), are deemed to be clearly improper. ***If the Examiner elects to maintain the rejections of these claims, Applicants respectfully requests that the Examiner fully set forth a prima facie case of obviousness.***

Despite the foregoing, Applicant will make some comments regarding these claims. Neither Kenna or Buist appear to disclose the method recited in claim 24. For example, neither Kenna or Buist appear to teach, disclose or suggest the steps of: identifying the database entries that have one or more fields with a field value that matches a selected query or expression; and outputting a formatted output that includes the field value of a selected field of each database entry identified by the identifying step, wherein the formatted output is formatted as a merge document that can be read by the computer program with the merge capability.

Despite the foregoing, claim 24 has been amended to recite:

24. (currently amended) A method for using a financial services computer program to ~~providing~~ provide a formatted output of selected fields of a database for a computer program with a merge capability, wherein the database includes a number of database entries each having two or more fields, and each field having a field value, the method comprising:  
operating a financial services computer program that aids financial service professionals in servicing customers, wherein the financial services computer program can access the database, and wherein the two or more fields of each database entry containing customer information;  
providing a query or expression to the financial services computer program;  
identifying the database entries that have one or more fields with a field value that matches ~~a selected~~ the query or expression; and  
outputting a formatted output that includes the field value of a selected field of each database entry identified by the identifying step, wherein the formatted output is formatted as a merge document that can be read by the computer program with the merge capability.

As can be seen, claim 24 has been amended to include the additional steps of: (1) operating a financial services computer program that aids financial service professionals in servicing customers, wherein the financial services computer program can access the database, and wherein the two or

more fields of each database entry containing customer information; and (2) providing a query or expression to the financial services computer program. Clearly, neither Kenna or Buist disclose this method. For these and other reasons, claim 24 is believed to be clearly patentable over Kenna in view of Buist. For similar and other reasons, dependent claims 25-33, and independent claims 34-35 as well as dependent claims 48-49, are also believed to be clearly patentable over Kenna in view of Buist.

Turning now to claim 36, which recites:

36. (original) A method for accomplishing a stock deposit in a financial services firm having a ledger, the stock deposit being for a specified number of shares of a specified company, the method comprising:  
selecting a customer account having a customer account identifier from a data processing system;  
entering the specified number of shares into the data processing system;  
entering an identifier of the specified security into the data processing system;  
entering at least one stock certificate number into the data processing system;  
generating a stock power that can be readily printed using the customer account identifier, the specified number of shares, the security identifier and the at least one stock certificate number;  
creating an entry in the customer account designated by the customer account number, the entry representing the deposited stock; and  
entering the stock deposit in the blotter of the financial services business.

The Examiner cited to column 6, lines 18+ of Buist as teaching this method. Column 6, lines 18+ of Buist state:

As noted, the preferred embodiment supports both traditional on-line securities trading on national exchanges and on-line user-to-user trading outside the national exchanges. The preferred embodiment employs both a system specifically developed for such trading (sometimes simply referred to as the preferred system) and one or more broker/dealer computers of the type customarily employed for computerized on-line trading.

In the preferred embodiment, each of a multiplicity of users' workstations is simultaneously connected via the Internet to one of a plurality of broker/dealer computers and to a user-to-user trading system. Each broker's computer stores the account data and similar information customarily stored at a broker's server computer for the broker's clients. The preferred system communicates with each

broker's server computer and in addition provides real-time updates for stock quotes both as a part of the service supporting day trading on national exchanges and as part of the service supporting user-to-user trading. For the user-to-user trading service the system maintains real-time data reflecting buy and sell orders for the supported securities, and is capable of displaying the same information for national exchanges if that data is provided by the exchange(s). This data reflecting users' orders to buy and sell for each security is referred to as the "order book" for a security. The users interested in a given security receive at their workstations real-time displays of the order book for that security. In one embodiment of the invention, such order book information is selectively provided to users on a subscription basis. It is also capable of being displayed (free, or for a fee) by Internet portals such as Yahoo!, Altavista, etc.

Users' workstations, which are typically ordinary personal computers or other computer devices with sufficient processing and storage capabilities, store application software (also referred to hereinafter simply as "application") that supports a connection both to the user-to-user trading system and to the broker/dealer computer so as to display to the user the information available from both sources. As noted, the user's account and similar data is provided by the broker/dealer's server and the user-to-user trading data as well as real-time quotes are provided by the trading system. The application on the user's workstation preferably employs a user interface combining data provided from both sources.

FIG. 1 illustrates a communications system of the preferred embodiment. The system comprises a plurality of work-stations 10, each of which is connected via a communications network 12 to one of a plurality of broker/dealer servers and databases 42 and each of which is connected via a communications network 15 to a hierarchical server and database structure 55.

However, nothing here appears to teach, disclose or suggest a method for accomplishing a stock deposit in a financial services firm having a ledger, the stock deposit being for a specified number of shares of a specified company. More specifically, nothing in this portion of Buist appears to teach, disclose or suggest the specific method of: selecting a customer account having a customer account identifier from a data processing system; entering the specified number of shares into the data processing system; entering an identifier of the specified security into the data processing system; entering at least one stock certificate number into the data processing system; generating a stock power that can be readily printed using the customer account identifier, the specified number of shares, the security identifier and the at least one stock certificate number; creating an entry in the

customer account designated by the customer account number , the entry representing the deposited stock; and entering the stock deposit in the blotter of the financial services business. For these and other reasons, claim 36 is believed to be clearly patentable over Kenna in view if Buist. ***If the Examiner elects to maintain this rejection, Applicant respectfully requests that the Examiner specifically point out where in Kenna or Buist each and every step of this method is disclosed, as well as any motivation for combining Kenna and Buist in the manner suggested by the Examiner.***

Turning now to claim 37, which recites:

37. (previously presented) A computer assisted method for determining the productivity of customer referrals from a number of customer referral sources, the method comprising the steps of:

storing a customer referral source identifier for each referred customer in a database;

determining a total number of customer referrals for each customer referral source;

determining an average of the total numbers of customer referrals for all customer referral sources; and

providing at least a visual comparison of the total number of customer referrals for a selected customer referral source against the average of the total numbers of customer referrals for all customer referral sources.

The Examiner cited to the abstract of Buist as suggesting this method. The abstract of Buist states:

The system and method of the preferred embodiment supports trading of securities over the Internet both on national exchanges and outside the national exchanges. The preferred embodiment supports an improved human interface and a continuous display of real-time stock quotes on the user's computer screen. The ergonomic graphical user interface (GUI) of the preferred embodiment includes several functional benefits in comparison with existing on-line consumer trading systems. In the preferred embodiment, the users are subscribers to a securities trading service offered over the Internet. Preferably, each subscriber to this service is simultaneously connected from his own computer to a first system which provides user-to-user trading capabilities and to a second system which is a broker/dealer system of his/her choice. The system providing the user-to-user trading services preferably includes a root server and a hierarchical network of replicated servers supporting replicated databases. The user-to-user system provides real-time continuously updated stock information and facilitates user-to-user trades that have been approved by the broker/dealer systems with which it interacts. Users of the

preferred system can trade securities with other users of the system. As part of this user-to-user trading, a user can accept a buy or sell offer at the terms offered or he can initiate a counteroffer and negotiate a trade.

However, nothing here appears to teach, disclose or suggest a computer assisted method for determining the productivity of customer referrals from a number of customer referral sources. More specifically, nothing here appears to teach, disclose or suggest the specific method of: storing a customer referral source identifier for each referred customer in a database; determining a total number of customer referrals for each customer referral source; determining an average of the total numbers of customer referrals for all customer referral sources; and providing at least a visual comparison of the total number of customer referrals for a selected customer referral source against the average of the total numbers of customer referrals for all customer referral sources. For these and other reasons, claim 37 is believed to be clearly patentable over Kenna in view of Buist. For similar and other reasons, dependent claims 38-40 and independent claim 41 are also believed to be clearly patentable over Kenna in view of Buist.

With respect to at least independent claims 36, 37, and 41, the Examiner only points to a portion of Buist without further explanation of the rejection and without providing any reasoning for combining the Kenna and Buist references. Applicants are thus unsure of the basis of the rejection. Applicants have reviewed the portions of Buist referred to by the Examiner, and have not found a teaching or suggestion of each and every element of the claims. ***If the Examiner elects to maintain these rejections, Applicants respectfully request that the Examiner specifically point out where in Kenna or Buist each and every step of these methods is disclosed, and also specifically point out the reasoning for combining the Kenna and Buist references as the Examiner suggests.***

Turning not to claim 42, which recites:

42. (original) A broker dealer assistance system, comprising:  
an account database for storing account information, the account information for each account including a number of account holdings, a number of investment objectives and a number of documented customer contacts; and

display means for displaying on a single screen or window, or multiple screens or windows simultaneously, selected investment objectives and selected documented customer contacts for a selected account.

The Examiner asserts Buist teaches storing account information and a browser program to provide a customer with account information. However, claim 42 recites a system including a display means for displaying on a single screen or window, or multiple screens or windows simultaneously, selected investment objectives and selected documented customer contacts for a selected account. Neither Kenna nor Buist appears to teach or suggest such a system. Thus, a combination of Kenna and Buist also fails to teach or suggest each and every element of the claims. For these and other reasons, claim 42 is believed to be clearly patentable over Kenna in view of Buist. For similar and other reasons, dependent claims 43-47 are also believed to be clearly patentable over Kenna in view of Buist.

Finally, regarding independent claim 50, the Examiner asserts that Buist teaches a combination of or related account items. Claim 50 recites a system including combining means for combining one or more related account items from the more than one accounts before the display means displays the selected account items, wherein the combining means sums at least some of the related account items. Buist appears to teach displaying a number of account items on a common screen. However no teaching has been found of a combining means that sums at least some of the related account items, as is recited in claim 50.

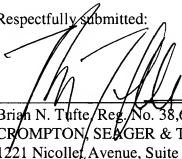
For at least the reasons set forth above, neither Kenna nor Buist appears to teach or suggest each and every element of the independent claims and the claims dependent thereon. Withdrawal of the rejection is respectfully requested. If the rejections are maintained, Applicants respectfully request the Examiner provide reasoned statements of asserted obviousness and indicate where in the references such teachings can be found, as required by MPEP § 2142.

In view of the foregoing, all pending claims 1-4 and 6-50 are believed to be in condition for allowance. If the Examiner would like to discuss the application or its examination in any way, please call the undersigned attorney at (612) 359-9348.



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Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Brian N. Tufte', is written over a horizontal line.

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